R. Dis File No. 640

1939

Collection No.

Mysore Residency

Pros. Serial Nos. 1 . 2

Subject.

Endowments by Mr V. G. Kamalakar, Late
for the education of Poor Boys (Scholarships

Previous References,

289/33

Later References.

R F. 295/45—

M.G.I.P.C.—52—688 (S & P) MFP—(6862/A/M-653)—3-12-46—25,00,000.

R Dis FILE No. 640 of 1939

Section. File No.

Heading. Serial No.

NOTES.

DEPT.
BRANCH.

Pros. 19 . Nos.

Subject.

Endowment by Mr. W. G. Kamalak. L.M.E., for the Education of Poor Boys. (Scholarship.)

Notes and Orders.

S. 1.

MGIPC—S1—3007 (S&P) MFP—(M-2577)—3-3-38—8,00,000.

D. No.11327. S.N.1.

We may perhaps agree to the changes which Mr. Kamalakar propose to make in his Will. There seems to be no legal objection.

Draft submitted.

21/11/39

11.11.39

18.11.39

20

~~H.~~ Secretary

S.N(2) Issue.

Dy.No. S.N.(3).

A. Please see S.N.5 of F.289-33 and S.N.1 an

S. 2 of R.Dis.F.640-39.

2

It is proposed that when the bequest is realised after Mr. Kamalakar's life time, the fun would be administered under the provisions of the Charitable Endowments Act, 1890, and would be utilised in accordance with the conditions laid down in his Will. In the extract of his Will no sent by him , he bequeaths Rs.6,600 to the Residen for utilising the interest for (1) Educational purpose and (2) for pension to Srimathi Rukhmini Akka. Under section 2 of the Act "Caritable" purpose" includes relief of the poor, education, medical releif and the advancement of

S.N.5 A.
289-33

pp.349-353 of Unrelated Central Govt. III (1925 Sdn)

Enc. 6 files.

any other object of general public utility. It seems that the proposed pension to Srimathi Rukhmini Akka in consideration of her faithful services cannot be included in this definition and that the Government cannot possibly undertake to administer pension to a private person. Mr. Kamalakar must set apart a certain sum for this purpose and he should make separate arrangements for the regular payment of the pension. It is for consideration whether he may be asked to amend this portion of his Will, if necessary in consultation with his legal advisers.

3

Under the C & M Station (Application of Laws Order -- item 42, modification (5) -- all references to the appropriate Government shall be read as referring to the Crown Representative, and it seems that Mr. Kamalakar's application should be sent to the Crown Representative for his consideration-- vide sections 4, 5 and 6. This may perhaps be done after the Will has been rectified.

Submitted for orders.

Secretary.

Spoken to Secy. Mr. Kamalakar informed also. He will write to us.
HC
18-1-40

Mr. Kamalakar reminded.
HC
22-5-40

Sir,
8.1.40.
I 4. This appears to be correct, as I had thought. K. Chandy knows him & witnessed the will. He can probably arrange matters without our writing. Will he please see this file & speak to me?

R. Mudgar.
10/1/40.

R.T.U

Dy.No. 6291 S.I. 4

5 Further communication may be awaited. May be filed pro tem.

ASRa
29.5.40.

U/S

6 Please see S.I.4/c.p.6.
Draft reminder submitted.

A.
7.XI.40.

ASRa
7.XI.40.

Secretary

S.N.S: ISSW.

Dy. No. 11118 S.N.6

a.
8/11.

7. The further communication may be awaited.

ASRa
27.11.40.

Secretary

U/S

Dy.No.12,313 S.N.7

(A)

8 Please see S.N.'s 1 and 5 of File 289/1933 and S.N.'s 1 to 3/paras 2 and 4, of notes. The present Will gives the impression that there are two bequests one in favour of the Resident and the other in favour of Srimathi Rukmani Akka. That presumably is not the intention. For in S.N.3/cor.p.3 Mr Kamalakar has stated that he is a man of very limited means and he can spare only 6,600/- The Will is vague in some respects too and does not appear to have been drafte on legal advice. A self contained draft is submitte for approval.

The delay in forwarding this case is regretted.

PsRao
2.2.41

Secretary

9 The will is rather confused & as office note does not appear to have been made with any legal advice.
Draft may issue.

Recd. 13/2.

13/2

S.N.(8): Issue

Dy.No.1520 S.N.9

10 This is a charity. Government Pleader may be aske informally if he will contribute his part to the charit by helping with the will free of charge.

A.M.
13/2.

11 Government Pleader was asked informally; he said h will be very pleased to help Mr.Kamalakar. Draft submi ted.

PsRao
18.2.41

Issue
18/2

S.N.10: Issue.

21-4-41
Secretary
21-4-41

Dy.No. 3199 S.N. 11

12

The Will now seems in order except that there is one little point to be cleared up. The directions to the executors are that on Mr.Kamlakar's demise, half-yearly interest on the Mysore bonds are to be paid to Srimathi Rukmaniakka during her life time, and after her demise, the sum is to be paid to the Resident for certain scholarships. This pre-supposes the earlier demise of the testator; if Srimathi Rukmaniakka pre-deceases the testator, the directions as they stand would be infructuous, unless Mr.Kamlakar intends to execute another Will, which obviously is not intended. A direction providing for this contingency seems, therefore, necessary. Government Pleader may be requested un-officially kindly to advise on the point.

H.S.Rao
29.3.40

13. I doubt if any alteration is necessary but Govt. Pl. may kindly advise. Sd/ 30/3.

Secretary.

Government Pleader, C. & M. Station, Bangalore

n/o. No. D. 3199-41 | Judl., dated the 1st April 194

OFFICE OF THE
HON'BLE RESIDENT
IN MYSORE, BANGALORE.
14 APR 1941
Diary No. 3491
File No

14.

Death of Srimathi Rukmaniakka in the lifetime of the testator will not render the directions as given in the will infructuous. The bequest to the Hon'ble the Resident will take effect immediately on the demise of the testator. vide Sec. 105 (illustration 4) Indian Succession Act. If so desired, by way of abundant caution, the words 'in the event and/or of her predeceasing me' may be added after the words ' after her demise' in paragraph (b) on page 2.

H.S.Rao
-4-40

Page 224 of Vol. VIII of the Unrevised Central Office Handbook by G.P. is

H.S.Rao
7/4/40

Mr Harnett
G.P. 3.4.'40

15 It is submitted with respect that an alteration seems absolutely necessary.

16 Section 105 occurs in Part VI of the Succession Act, which according to section 58 of the Act shall not apply to testamentary succession to the property of a Hindu - please see modification (1) to the Act as applied to the Station. The present Will, then, has to be read as though the provisions of section 105 of the Act were not applicable to it. According to it, after the demise of the testator interest has to be paid to Srimathi Rukmaniakka during her life time, and after her demise the estate is payable for charities. But if she were not in existence at all at the time of the testator's demise, having predeased him, the directions as they stand would indeed be infructuous. It is another matter whether the executors would not proceed to administer the estate according to the next direction, namely charities, nor whether a Court of Law would not respect the intentions of the testator and direct that the estate do vest in the Resident. This is a Will where the estate will ultimately vest in the Treasurer of Charitable Endowments, and it seems to be necessary to make the provisions of the Will precise and unambiguous. If approved, the addition suggested by Government Pleader may be inserted and the draft returned to Mr.Kamlakar for executing it and sending a copy to Resident for further action. Draft submitted.

ASRao
5.2.41

Secretary

17. As G. P. says + as I have personal knowledge under English law such a bequeathe would not render the will infructuous. The addition may certainly be inserted as a precaution. AH 6/2

S.N. 12: 1500...

18. When the executors of the Will pay the sum to the Hon'ble the Resident for its utilization for charities the Crown Representative will be moved to order that t property be vested in the Treasurer of Charitable Endo ments. Please see sections 4 and 5 of the Act: accord ing to the modifications made to the Act in its applic tion to the Station references to the appropriate Gove -ment shall be read as referring to the Crown Represen tative.

19. No further action is necessary at present. The copy of the Will may be acknowledged with the special thanks of Resident, and the position explained to Mr. Kamlakar. Draft submitted.

PsRao
3.5.41

Secretary.

Recd. 8/5. All 4/5.

S.N. 14: Issue

20 Since this file relates to the endowment of a scholarship for the education of poor boys in the Station, Collector and Inspector of Schools may perhaps see the papers U/O, for information.

H.C.
13.5.41

Rey. All 14/5.

Collector, C. & M. Station, Bangalore
Inspector of Schools, C & M. Station, Bangalore
W.O. No. R.D.F. 640/39. dated 16-5-1941

U/O

OFFICE OF THE C... 17 MAY 1941 No. 1749-C-41 C & M. STATION

[illegible]. Forwarded to the Inspector of Schools, [illegible], for favour of information.

H. H. Carleton

To the Inspector of Schools, Bangalore.

[illegible] 1210-B-41 dated 17-5-41.

Seen and retransmitted. 20/5

To

The Secretary to the Resident.

U.O No 1210/B 11/41
21.5.1941.

Dy.No.U/O 5171

No action is necessary.

22.5.41

24.5.41

OFFICE OF THE
HONBLE THE RESIDENT
IN MYSORE, BANGALORE.
22 MAY 1941
Diary No 5171
File No .....

E.A

L

From

6th November 1939

Mr.W.G.Kamalakar, L.M.E.,

54, Veeranna's Garden, Bangalore.

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE.
-7 NOV 1939
Diary No. 11,827
File No. Sir

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangabre.

My endowment for the education of ~~xxxxxx~~ poor boys

S.N.S 2,89-33 (A)

Please refer to your letter No.11351, dated the 16th Decembe 1933.

With reference to paragraph 2 of my letter dated the 14th July 1933, I write to say that it is my fervent wish that my matron, Srimathi C.Rukhmini Akka, should, in consideration of the services she is rendering to me, ~~xx~~ enjoy after my life time, a life pension of not less than Rs.10 per mensem out of the interest on the capital amount or by way of rent to that extent from ~~ay~~ property acquired. At present I am drawing a sum of Rs.132/- by way of half yearly interest on the capital sum of Rs.6,600/- (@ 4 per cent). It is my desire that the pension proposed to be given should, after her demise be added to the corpus of the fund and utilised towards the grant of scholarships to poor boys

As I have to change my will suitably, in conformity with my wish expressed above, I request you to be so good as to let me know as early as possible, whether my proposal ~~xxxxx~~ has your approval. I also intend to change the executors to the will.

I remain,
Sir,
Your obedient servant,

W.G.Kamalakar

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

R. Dis. No. F. 640/39 / G & A.

2

Issued 24/11/39

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

TO

Mr. W.G. Kamalakar, L.M.E.,

54 Veeranna's Garden,

B a n g a l o r e.

Dated Bangalore, the 24th November 193 9.

ENDOWMENT OF CERTAIN EDUCATIONAL SCHOLARSHIPS.

SIR,

I am directed to refer to your letter dated the 6th November 1939.

2. The Resident has no objection to your proposals. When the will is changed please send an extract to this Residency for record.

I have the honour to be,
Sir,
Your most obedient servant,

p/c

SECRETARY TO THE RESIDENT.

vdv.

From,

Sri W. G. Kamalakar, L.M.E.(Bombay),
Retired Superindent of the Madras Customs,
Now residing at the "Kamalas'Birds' Nest",
54, Veeranna's Gardon Moore Road CROSS,
Cleveland Town, C.M. Station, Bangalore.

To,

The Secretary to the Hon'ble The Resident in Mysore,
C. & M. Station, Bangalore.

Bangalore, FRIDAY the 15th December 1939.

— Enclosure ONE —

Sir,

I have the honour to acknowledge with deep grateful thanks your prompt and favourable reply in your R.Dis No. F 640/39 dated Bangalore the 24th - November 1939 to my appeal made to you G'A in my letter of the 6'th - November 1939.

Sno. 2 / Ch. 2 S.

This reply of yours has relieved my mind considerably in my advanced age so that I took the earliest opportunity to make my fresh and Last WILL and Testment on FRIDAY, the 8th of December 1939 duly attested by the two witnesses.

p. 5 infra.

I have enclosed herein the Extract of that WILL for your Record as per your instructions in respect of the Endowment of Rs.(6,600/-)Six thousand and six hundred only for award of the Educational Scholarships after my life-time referred to in my first letter dated Bangalore the 14th July 1933 and for the monthly Pension to be granted to my Matron, Srimathi C. Rukhmini - - Akka as proposed in my subsequent appeal dated Bangalore the 6th November 1939 to which you kindly state that the Resident has no objection.

Sno. 1 / F 289-33 A.

The Trust Funds, however limited it may be, great times, an allurement even to one's closest relatives and most intimate friends, and as such, I was strongly advised by themselves to make provision in my WILL to get those Funds lodged with the Residency for safest custody, and, GOD helping me, I have thus carried their wishes. I am feeling now quite relieved in my mind as if a great weight has been lifted out thereby.

S.N. 1 / Cp. 1 S.

I am a man of very limited means, and as such I cannot afford to lay by a larger amount for chariatable purposes.

(a) The Capital sum of Rs.1,600/-@ 4% yields the annual interest of Rs. 64/- only.
(b) The Capital sum of Rs.5,000/-@ 4% yields annually the interest of Rs. 200/- only

The Capital shown in (a) is my third share I unexpectedly received from my eldest brother left by my late second brother, Rao Saheb Rama Rao, J.P.; and while we were young boys he had just casually once expressed his wish that he would like to give a Scholarship to a deserving Maharatta boy or a girl preparing for the Matriculation Examination, which help he was unfortunately denied himself, and hence, I want now to utilise its interest for that purpose to carry out his wishes; and therefore, it is my earnest desire that the interest of the amount Rs. 64/- should be spent solely on that account.

The Capital in (b) is a sum of what I got towards the commutation of a part of my pension. Now, when Rs.120/- per year is devoted to my Matron as her life-Pension proposed by me and kindly approved by you is deducted from the annual interest of Rs. 200/- only, a balance of Rs. 80/- only is left for the award of the Educational Scholarships which is only Rs.6-10-8 per mensem. This is just sufficient for one pupil. But if the Inspector of Schools of the C. & M. Station Bangaloro can find his way to apply the G.O. which directs half-free studentships for children of backward cummunity-such as Maharatta & Brahmo(Harijan), I dare say that two pupils can have the benifit of the Scholarships so long they are in Lower Secondary Classes and after that of course one deserving pupil only can have that aid.

With reference to my statement in my letter of the 6th ultimo *** "or by way of rent to that extent from any property acquired," please let me state further for your information that I may infuture go in only for such property without any encumbrances as would be by far more profitable to secure more income thereby. In this eventuality I know that I will have to possess a duly Registered Sale Deed thereof in joint names of myself and in your Treasurer of Charitable Endowments (vide your Enclosure you were pleased to send me with your kind letter no.11,351 - dated Bangalore the 16th December 1934) by all means through the Residency for any of your suggestions or advice which will be greatly appreciated by me.

If it is absolutely necesary for me my Origenal WILL will advisedly be deposited in the safe custody of the District Judge, Civil and Military Station, Bangalore, with the knowledge and approval of my two Executors.

In conclusion, I have to apologise to you, Sir, for writing so much in details just to have my final say in the matter.

Trusting that you will be pleased kindly to convey to the Hon'ble The Resident my many grateful thanks for his so readily accepting my humble offers and that you yourself accept my sincerest thanks for your kind offices extended to me so far,

I have the honour to be,

Sir,
Your most obedient Servant,

K Ramalakay

TRUE COPY —
W. G. Kamalakar —

FRIDAY-15-12-39. TESTATOR

THIS IS THE LAST WILL and TESTAMENT of me WASSANTHA RAO GUNPATHA RAO KAMALAKAR L.M.E. (BOMBAY), Retired Superintendent of the Madras Customs, now a Government Pensioner, of (at present) "Kamalas' Birds' Nest", - - - 54, Veeranna's Garden, Moore Road CROSS, Cleveland Town in the Civil and Military Station of Bangalore, made thisFRIDAY the Eight DAY of the Month of DECEMBER in the Year One Thousand Nine Hundred and Thirty-nine, while I am of sound mind and memory.

I hereby revoke all WILLS and CODICILS made by me at any time heretofore.

I appoint (1) Sri JADHVA VENKATA RAO VISWANATHA RAO, B.A., B.L., of the residing (at present) at No. 15, St. John's Church Road, C.& M. Station, Bangalore Old Public Offices, Bangalore City and (2) Sri JADHAVA VENKATA RAO JAGANNATHA RAO, Proprietor of Messrs Venson & Co., 34, St. Mark's Road, C.& M. Station Bangalore, residing (at present) at No. 5A, Park Road, Tasker Town, C. & M. Station, Bangalore, to be my EXECUTORS, and direct that all my debts and funeral expenses not exceeding Rupees (200/-) Two hundred only shall be - paid as soon as conveniently may be after my decease, so also the BEQUESTS hereinafter specified.

I GIVE AND BEQUEATH unto (1) The Hon'ble The RESIDENT IN MYSORE - - Rupees (6,600/-) SIXTHOUSAND AND SIX HUNDRED ONLY To be met from the 4% Mysore Government Conversion Loan of 1953=63 as per the Eight Bonds:- - -

ONE BOND NO.D001264 for Rupees ONE HUNDRED ONLY = Rs. 100/-
ONE BOND NO.E000409 for Rupees FIVE HUNDRED ONLY= Rs. 500/-
Six BONDS NOs.F001433 to F001438 for RupeesONE THOUSAND ONLY EACH=Rs. 6000/-

Rupees 6,600/-

N.B. The Half-yearly Interest onthe said Bonds is Rupees (132/-) - - One hundred and thirty-two only and is due by the end of May and November of each year.

Only the Interest yielded should be utilised by the HON'BLE The Resident in Mysore as per the objects, and in accordance with the manner, setforth

(A.) My letters thro' the Secretary to the Hon'ble The Resident in Mysore, dated 14th July1933 & 6th November1939.

(B.) The Mysore Residency Letters in kind Replies No.11351 dated Bangalore the16th December1933, andR DIS No.F640/39 GA dated Bangalore the 24th November1939.

in the correspondence noted in the margin, for Educational Purposes; and for a monthly Pension of Rupees Ten only to my MATRON Srimathi — C.RUKHMINI AKKA, Residing(at present) with me, during her Life-Time, in consideration of the faithful services she has been rendering to me since 1st of August 1929.

This Pension-amount should after her demise, be added to the Corpus of the Fund and utilised for the Educational Purposes.

*** *** ***

(c) Immovable Property or Properties in which all or any of the Items specified in this WILL may hereafter be invested,

*** *** ***

W. G. Kamalakar — TESTATOR 8-12-39

Signed by the said TESTATOR W. G. Kamalakar, in the Presence of us, Present at the Same Time, who, at his request, in his Presence and in the Presence of each other, have subscribed our Names as WITNESSES.

-THE TWO WITNESSES.-

1.(Sd.)Kora Chandy Shirastadar Dist. Court C.& M. Station, Bangalore. 8-12-39

2.(Sd) R.Sundermurthi Lieut. O.B.I. Special Magistrate C. & M. Station, Bangalore. 8-12-39.

All (the original) WILL is written in my own hand-writing this day, and signed by me in the presence of the two WITNESSES.
W. G. Kamalakar — 8-12-39 TESTATOR.

S. N. 4 Sec. a GH 27/52 D 27/5 16

with file

Endowment of certain Educational Scholarships.

From,

Sri W. G. Kamalakar L.M.E. (Bombay),
Retired Superintendent of the Madras Customs,
now at "Kamalas' Birds' Nest", No. 54, Veerannahas Garden,
Moore Road Cross, Cleveland Town, C.V.M. Station,
Bangalore.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
27 MAY 1940
Diary No. 5291
File No.

To,

The Secretary to the Hon'ble The Resident in Mysore,
C. & M. Station, Bangalore.

Bangalore: Monday: 27th May 1940.

Dear Sir,

With reference to the Residency Office R. Disn. No. F640/3 G.A. dated 24th November 1939 I had an interview with your Predecessor on 15th December 1939 when I left with him my letter of the same date enclosing the extract of my WILL dated 8th December 1939 as called for for the record.

× S.N.2 (5) Cor. p. 2

S.N. 3 Cor. p. 3

Subsequently on 17th January 1940 your Predecessor sent word to me thro' Mr. K. Chandy, one of the Witnesses to my WILL that the WILL could as well be amended in order to give effect to my wish to provide for the monthly Pension of Rs 10/- to my Matron C. Rukhmini Akka and not to get mixed this private charity with the Public one, since such a course was not permissible under the Law.

I am grateful for the advice given to me which I

I am now considering and shall write to you again regarding the matter as soon as I come to a final decision.

I should have sent this statement to you earlier but for the unavoidable circumstance that I was not in good health for the past several months.

I respectfully remain,
Dear Sir,
Yours truly,
Wanalaka

SN5

Issue 8/11

Ground GRA 11/11/40

SN.4

Cf.6

No. R.F.640-30 Judl. Dated 11th November 1940

From - The Secretary to the Resdt.

To :- Mr. W.G.Kamalakar, L.M.E., 54 Veeranna's Garden, Moore Road Cross, Cleveland Town, Bangalore.

Sir,

I am directed to refer to your letter dated the 27th May 1940, and to enquire when a further communication promised therein may be expected.

I have etc.,

Secy. to the Resident.

Typed 9/11

S. 5.

MGIPC—S5—1595(S&P)MFP—(M-944)—6-3-39—60,000 Pads

7.11.40.

7.11.40

S. N. 6

9

RF 640/39

Subject:- Endowment of Certain Educational Scholarships.

From,

Sri W. G. Kamalakar, L. M. E. (Bombay)

No. 54, Veeranna's Garden, Moore Road Cross,

Cleveland Town, C. & M. Station, Bangalore

To,

The Secretary

To The Hon'ble the Resident in Mysore

C. & M. Station, Bangalore

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
19 NOV. 1940
Diary No 1118
File No.....

Bangalore, the 18th November 1940

Dear Sir,

In thanking you for your Reminder No. R.F. 640-30/Judl. dated Bangalore the 11th Instant with reference to my letter to you dated Bangalore the 27th May 1940, I beg to inform you that it was owing to unavoidable circumstances that the delay has been caused for a further communication.

S. N. 5
Corr. 8.

S. N. 4
Corr. 6

I had to go to Bandra, a suburb of Bombay, in July last, when my eldest brother, Mr. S. G. Kamalakar Retired Deputy Registrar of the Bombay High Court, was in serious state of health and his demise on the 29th of that month. On my return here on the 20th August last, I was bed-ridden for over a month and a half.

Only

Only recently I have advisedly endorsed the name of my Matron Srimathi C. Rukmini Akka as "Either or Order" on the eight-4% conversion Loan Bonds issued in my name by the Government of Mysore of the aggregate value of Rupees 6,600/= Hereafter she too can operate on those Bonds and draw interest due and enjoy her monthly Pension and utilize the balance towards the Charities in her life-time as I am at-present doing myself, in case she survives me.

The net amount of Rupees 6,600/= will be given and bequeathed unto the Hon'ble the Resident in Mysore after my or her demise whichever is later.

I have now to alter my WILL accordingly and its Extract will be sent to the Residency for record, in all probability by the next month.

Trusting you will please find this in order.

I Remain
Dear Sir,
Yours Truly.
N Ramalakshmamma

7
R 7640/39

Subject Endowment of Certain Educational Scholarships

S. N. 7 6M 21/12

From,

Sri W. G. Kamalakar, L.M.E. (Bombay)

No. 54, Veeranna's Garden, Moore Road Cross,

Cleveland Town, C. & M. Station, Bangalore

To,

The Secretary

To The Hon'ble the Resident in Mysore,

C. & M. Station, Bangalore –

Dated Bangalore the 19th December 19.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
21 DEC. 1940
Diary No. 12,313
File No.

Dear Sir,

According to my promise held in my let
dressed to you Dated Bangalore the 18th November 194
now glad to enclose herein the True Copy of the Ex.
my Last WILL AND TESTAMENT Dated Monday the 16
December 1940 duly executed.

× S. N. 6
Corp. 9

I earnestly request you that you will be pl
formally acknowledge the receipt thereof, and a
time to convey again to The Hon'ble The Resident
grateful thanks for his accepting my humble off

With many sincerest thanks to your good
your kind offices in this matter,

I Remain,
Dear Sir,
Yours Fa
V Kamala

Testa

THIS IS THE LAST WILL AND TESTAMENT OF ME WASSANTHA RAO GUNPATHA RAO KAMALAKA RAO L.M.E. (Bombay), Retired Superintendent of the Madras Customs, Now a Government Pensioner, residing (at present) with my MATRON Srimathi C. RUKHMINI AKKA at "Kamalas' Birds' Nest", No.54, Veeranna's Garden, Moore Road, Cross, Cleveland Town in the Civil and Military Station of Bangalore, made this MONDAY THE SIXTEENTH DAY of the month of December in the yeur One Thousand Nine Hundred and Forty while I am of sound mind and memory.

I hereby revoke all WILLS and CODICILS made by me at any time heretofore.

I appoint (1) Sri JADHAVA VENKATA RAO VISWANATHA RAO, B.A., B.L., of the Old Public Offices, Bangalore City, residing (at present) at No.15, St. John's Church Road, C. M. Station, Bangalore AND (2) his younger brother, Sri JADHAVA VENKATA RAO JAGANNATHA RAO, Proprietor of Messrs. VENSON & Co. , St. Mark's Road, C. & M. Station, Bangalore, residing (at present) at No. 10, Chinnaswamy Mudaliar Road, Tasker Town, C. & M. Station, Bangalore, TO BE my EXECUTORS, and direct that all my debts and funeral expenses not exceeding Rs.200/- (Rupees Two Hundred only) shall be paid as soon as conveniently may be after my decease so also the BEQUESTS hereinafter specified after MY or my MATRON Srimathi C. RUKHMINI AKK'S demise whichever be the LAST.

I GIVE AND BEQUEATH UNTO (1) THE HON'BLE THE RESIDENT IN MYSORE NET Rs.6,600/- (Rupees Six Thousand and Six Hundred only). It is my intention that ONLY THE INTEREST yielded should be utilised by THE HON'BLE THE RESIDENT IN MYSOREas per the objects, and in accordance WITH THE MANNER, set forth in the correspondence and agreement as per my letter through The Secretary to the Hon'ble The Resident in Mysore dated Bangalore the 14th. July 1933 and his kind Reply No. 11351 dated Bangalore the 16th. December 1933.

I GIVE AND BEQUEATH UNTO (ii) my Matron C. Rukhmini Akka Rs.6600/- Rupees Six Thousand and Six Hundred only) to be met from the Four (4 %)per cent Mysore Government Conversion Loan of 1953-63 as per the Eight BONDS:-

Viz:- ONE BOND No.D001264 for Rupees One Hundred only = Rs.100/-
ONE BOND No. E000409 for Rupees Five Hundred only =Rs.500/-
SIX BONDS Nos. from F001433 to F001438 for Rupees One Thousand only EACH =Rs.6000/-.
Total Rupees Six Thousand and Six Hundred only = Rs.6600/-.

These said Bonds have already been endorsed in the joint Names of both MYSELF and HER as "EITHER OR ORDER" so that she too can draw hence-forward during her Life-Time the Half Yearly Interest on the Said Bonds, which Interest is Rupees (132/) One Hundred and Thirty Two only and it is due by the end of the months of May and November of each year. It is my earnest WILL that she should draw this Interest during her Life-Time and

P.T.O. 2nd Sheet

/13

utilise this amount of Interest only towards her monthly Pension of not less than Rs.10/- (Rupees Ten only) and the balance towards the charities I myself am doing at present. This monthly Pension is GIVEN and BEQUEATHED unto her in consideration of the faithful services she has been rendering to me since 1st. Day of August 1929. I earnestly WILL that this Pension amount should after her demise be added to the Corpus of the Fund and utilised for the Educational purposes by the Hon'ble The Resident in Mysore.

x x x

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. R.F.640-39
Judl.

FROM

THE SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

W. G. Kamalakar, Esq., L.M.E.,
No.54 Veeranna's Garden,
Moore Road Cross, Cleveland Town,
B a n g a l o r e.

Dated Bangalore, the 8th Feby. *1941.*

SIR,

With reference to your letter dated the 19th December 1940, I am directed to suggest that in order to avoid any possibility of mistake in regard to your intentions the Will may kindly be revised in accordance with competent legal advice and forwarded to this Residency in due course. The following remarks may be particularly borne in mind in respect of the revision:

(1) Two separate bequests appear to have been provided - one in favour of the Hon'ble the Resident and the other in favour of Srimathi Rukmani Akka. That presumably is not your intention.

(2) It is stated on page 2 "this Pension amount shoul after her demise be added to the Corpus of the Fund . . . ". Since after her demise the entire interest accruing from the Fund is to be utilized for the charitable purpose, there need not be a specific mention of the provision quoted in this clause.

(3) Item (c) has been mentioned without there being items (a) and (b).

2. Before actually executing the Will, it would be desirable if you would send the draft for the Hon'ble the Resident's examination in so far as the charity bequest is concerned.

3.

3. I am to convey to you the Hon'ble the Resident's very sincere appreciation of your charity and generosity in thus endowing the education of poor boys.

I have the honour to be,
Sir,
Your most obedient servant,

for

SECRETARY TO THE RESIDENT.

BJ

R.F. 640/39 S.N. 9 Spoke This is a charity. Got pleader mo
PWD 13/2/41 From Learned informally if he will
Contribute his part to the charity AM 13/2 16
by helping with the will free of charge.

Sri W.G.Kamalakar,L.M.E.(Bombay),
No.54,Vecranna's Garden, Moore Road Cross,
Cleveland Town, C. and M. Station,
Bangalore.

R.Rao 17-2-41 To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
13 FEB. 1941
Diary No. 1520
File No.

12th February 1941.

Endowment of certain educational scholarships.

Dear Sir,

S.N. 8
Corr. p. 14

I write to acknowledge with thanks the receipt of your letter No.R.F.640-39/Judl., dated the 8th February 1941, and to express my gratitude to the Hon'ble the Resident for his appreciation of my efforts to help poor boys.

2. Paragraph 1(1) of your letter. I have made two separate bequests in my will for the reason that Srimathi Rukmani Akka should have, in case she survives me, the means of getting her mothly pension and also to provide for the education of poor children, from the interest she is now drawing from the bonds.

Para 1(2) of your letter. I agree.

Para 1(3) of your letter. With my previous letter I sent you only an extract of the will as suggested by you. From the copy of the whole will herewith enclosed (for favour of perusal and return) you will kindly notice items (a) and (b). I did not mention them because they did not have any bearing on the charitable endowment proposed.

Should you consider that any further elucidation is necessary, I shall feel obliged if you will kindly permit me to interview you any time convenient to you.

3. In view of my advancing age (74) I am anxious to settle the matter finally and since Government is interested in the endowment I propose to make in my will, I request that I may be permitted to consult the Government Pleader free of charge, with reference to the suggestion in paragraph 1 of your

17

your letter.

I remain,

Dear Sir,

Yours truly,

L Ramalaka

Enclosure : One copy of my WILL 4 in 4 pages for favour of perusal and Return in due course when no longer required.

L R 12.2.41.

No.R.F.640-39 Dated 21st Feby.1941.

Judl.

To

W. G. Kamalakar, Esq.,
No.54 Veeranna's Garden, Moore Road Cross, Cleveland Town,
Bangalore.

- - -

Sir,

With reference to your letter dated the 12th February 1941, I am directed to say that the Government Pleader has very kindly agreed to help you with the drafting of the Will free of charge. He will be glad to see you on any evening between 5 and 6 at his residence No.243 Thimmiah Road, Bangalore. Your copy of the Will is returned.

I have etc.,

Secretary to the Resident.

Not to appear in original.

Copy forwarded to the Government Pleader, Civil and Military Station, Bangalore. Please accept my thanks for agreeing to help with the Will.

Secretary to the Resident.

Secy S. N. 11

18

From
Sri W. G. Kamalakar L.M.E. (Bombay)
No.54, Veeranna's Garden, Moore Road Cross,
Cleveland Town, C. & M. Station, Bangalore.

Bangalore,
27th. March 1941

To
The Secretary,
to The Hon'ble The Resident in Mysore,
C. &. M. Station, BANGALORE.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
27 MAR 1941
Diary No. 3199

Dear Sir,

Endowment of certain Educational Scholarsh

Adverting to your very valuable guidance referred to in your kind letter No.R.F.640-39 Judl. D/ the 21st. February 1941, received by me with deep gratitude, I was able to meet the Government Pleader for the first time at his Residence on 24th. idem. He received me very kindly and heard patiently my points concerning the Will and asked me to leave my file and the previous Will with him for a few days for his study and to call again on 28th. idem. After that amidst his business I had the privelege to meet the gentleman thrice and he certainly did render me considerable help free of charge in drafting the Will and to make it presentable to you.

I have the pleasure now to enclose the whole of my Last Will and Testament in original written in my own hand-writing for your kind perusal and favour of return, I trust, after your approval. On receipt of it, I will get it attested and enclose an extract of the same in a covering letter in due course for your record.

In this connection let me assure you and through you The Hon'ble The Resident that I am certainly feeling very grateful to both of you for your interest envinced throughout in this matter, and,

Remain,
Dear Sir,
Yours Faithfully,

W. G. Kamalakar
27.3.41.

One enclosure.

(19

DEPARTMENT. No.R.F.640-39 Judl. File No.

BRANCH. Serial No.

Draft Letter / Memorandum / Telegram

Issue 7/4

Issued 7/4

Class for telegrams	ONWARD:	FOREIGN:
	Immediate	Immediate
	Important	Important
	Express	Ordinary
	Ordinary	Without priority

No. Dated 8th April 19 41.

To be issued on	Issued on
1st Reminder	
2nd Reminder	
3rd Reminder	
Heading:	
Case or Diary No.	
If post copy of telegram required	
Date of despatch of above	
List of enclosures	

P.C SN. 11

one letter encl. to P.C

(Code word for telegrams.)

To

W. G. Kamalakar, Esq.,
No.54 Veeranna's Garden,
Moore Road Cross, Cleveland
Town, Bangalore.

Sir,

I am directed to refer to your letter dated the 27th March 1941, and to return the draft of the Will which is approved by the Hon'ble the Resident subject to a slight alteration with which the Government Pleader concurs. I am to request you to execute the Will now and send a copy to this Residency in due course.

I have c
e

(Sd) P.M. Raman Nayar
for Secretary to the Resident.

B.Rao
5.4.41

7/4

S. 5.
MGIPC—S5—1595(S&P)MFP—(M-944)—6-3-39—60,000 Pads

S. N. 13

Law

J. 25/4/41

R) 640/39

From,

Sri W. G. Kamalakar L.M.E. (Bombay)

No. 54, Veeranna's Garden, Moore Road Cross,

Cleveland Town, C. & M. Station, Bangalore

To,

The Secretary

To The Hon'ble The Resident in Mysore,

Bangalore.

Dated Bangalore the 23rd April 1941.

Subject:- Endowment of certain Educational Scholarships.

Sir,

*S.N. 12

Cor. p. 19

As per your directions contained in your letter No. R.F. 640-39/J2 dated Bangalore the 8th instant received by me with deep gratitude I have the honour to submit herewith as an enclosure the Extra of my WILL dated Wednesday the 16th instant so far as my humble Charity bequest is concerned adding to it the slight alteration approved by The Hon'ble The Resident, with which the Government Pleader concurred.

With my heart-felt Thankfulness to The Hon'ble The Resident your good self and the Government Pleader for the valuable guidance in drafting my WILL finally,

I have the honour to be,

Sir,

Your most obedient Servant,

W. Kamalakar

Testator

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE.
24 APR 1941
Diary No. 2175
File No.

25/4/41

Enclosure ONE.

THE LAST WILL AND TESTAMENT made this SIXTEENTH DAY of the month of APRIL in the year One Thousand Nine Hundred and Forty-one A.D. by me, WASSANTHA RAO GUNPATHA RAO KAMALAKAR, L.M.E. (Bombay), Brahmo Hindu, Retired Superintendent of the Madras Customs, British Government Pensioner, (at present) residing with my Matron Srimathi C. Rukhmini Akka in No. 54, Veeranna's Garden, Moore Road Cross, Cleveland Town, Civil and Military Station, Bangalore while I am in full possession of my senses and am of sound mind and memory.

I hereby revoke all Wills, Codicils and other Testamentary Instruments of any kind whatsoever made by me at any time before the Execution of these Presents.

I hereby appoint (1) Sri JADHAVA VENKATA RAO VISWANATHA RAO, B.A., B.L., (at present) of the old Public Offices, Bangalore-city, residing in No. 15, St. John's Church Road, Civil and Military Station, Bangalore, and, (2) Sri JADHAVA VENKATA RAO JAGANNATHA RAO, Proprietor of Messrs Venson & Co., 34, St. Mark's Road, Civil and Military Station Bangalore (at present) residing in No. 10, Chinnaswami Mudaliar Road, Tasker Town, Civil and Military Station, Bangalore to be my EXECUTORS.

MY ESTATE chiefly consists of moneys invested in the joint names of my Matron Srimathi C. Rukhmini Akka and myself in the manner hereunder described. The said Srimathi C. Rukhmini Akka has no interest in the said moneys except those created by me under these Presents. The said moneys are my own absolute property and no one has any interest therein. I have invested those moneys in our joint name as aforesaid for purposes of my own convenience, she being willing to act as my agent in case of need. Any default on her part shall legally be dealt with.

The Investments are as follows:-

i Four Percent Mysore Government Conversion Loan of 1953-63-

of the value of Rs. 100/ one Bond No. D00 1264

of the value of Rs. 500/- one Bond No. E000409

of the value of Rs. 1000/ each Six Bonds Nos. F00 1433 to F00 1438

Total Eight Bonds of the value of Rupees 6,600/- Six Thousand Six Hundred

× × × × × × × × × × × × × × × × ×

I hereby direct my EXECUTORS to take possession of my ESTATE immediately after demise and administer IT as follows:-

(a) To meet my funeral expenses not exceeding Rupees Two Hundred 200/-

(b) Pay Interest only accruing half-yearly from Item No i to Srimathi C. Rukhmini Akka during her life-time, and after her demise or in the event of her predeceasing me,

(c) Pay the said Sum under Item No. i amounting to Rupees 6,600/- Six Thousand and Six Hundred NET invested as aforesaid in the Government of Mysore Eight Bonds to The Hon'ble The British Resident in Mysore, Bangalore, with the request that he may be pleased to utilise the Interest only accruing therefrom in giving Scholarships to Marhatta Non-Brahmin or Brahmo poor deserving boys & girls in the following manner:-

A. In perpetual memory of my late brother, Rao Sahib RAM RAO GUNPATHA

RAO

RAO KAMALAKAR, J.P., the Interest accruing from the Capital sum of Rupees 1600/- One Thousand and Six Hundred only should be utilised towards payment of One Scholarship tenable for one year only to a deserving poor pupil preparing for the Matriculation or School Final Examination; and, likewise

B. In perpetual memory of me, Sri WASSANTHA RAO GUNPATHA RAO KAMALAKAR, L.M.E., (Bombay), the Interest accruing from the Capital Sum of Rupees 5000/- Five Thousand only should be utilised towards payments of Two or Three Scholar-ships (as the case maybe) tenable for Six years to deserving poor pupils for their Secondary Education from the First to Sixth Forms.

× × × × × × × × × × × × × × × × ×

The whole of this WILL is written in my own hand-writing this DAY and Signed by me in the PRESENCE of THE TWO WITNESSES.

Signed by the said TESTATOR W.G. KAMALAKAR in the PRESENCE of US, PRESENT AT THE SAME TIME, WHO at HIS request, in HIS PRESENCE, and in the PRESENCE of EACH OTHER, have subscribed OUR NAMES AS WITNESSES THIS DAY ON WEDNESDAY The 16th (Sixteenth) of April 1941.

L Kamalakar 16.4.1941
TESTATOR

Witnesses
(1) (Signed) G. Balaram Naidu 16/4/41
(2) (Signed) T.N. Sreenivasa Rao 16.4.41.

True Extract
L Kamalakar

Issue HC 10.5.41

S.N. 14

No.R.F.640-39 Judl.

DEPARTMENT. File No.

BRANCH. Serial No.

Draft Letter / Memorandum / Telegram

Class for telegrams

INLAND:	FOREIGN:
Immediate	Immediate
Important	Important
Express	Ordinary
Ordinary	Without priority

No. Dated 12th May 1941.

To be issued on	Issued on
1st Reminder	
2nd Reminder	
3rd Reminder	
Heading:	
Case or Diary No.	
If post copy of telegram required	
Date of despatch as above	
List of enclosures	

(Code word for telegrams.)

x P.U.C
S.N. 13

S.N. 5 (A)
F. 289-33

To

W. G. Kamalakar, Esq.,
No.54 Veeranna's Garden,
Moore Road Cross, Cleveland
Town, Bangalore.

Sir,

I am directed to acknowledge with the special thanks of the Hon'ble the Resident a copy of your Will dated the 16th April 1941 forwarded with your letter dated the 23rd April 1941.

2. As stated in letter from this Residency No.11351 dated the 16th December 1933, when your executors pay the sum to the Hon'ble the Resident according to the directions in your Will for its utilization for charities, it will be vested in the Treasurer of Charitable Endowments under section 4 of the Charitable Endowments Act,1890, and will be utilized in accordance with the provisions contained in the Will.

I have etc.,

for Secretary to the Resident.

S. S.
MGIPC—S5—1595(S&P)MFP—(M-944)—6-3-39—60,000 Pads.

PSR
3.5.41